

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 81**

[CA-010-0001-ec, FRL-6336-2]

**Classification of the San Francisco Bay Area Ozone Nonattainment Area for Congestion Mitigation and Air Quality (CMAQ) Improvement Program Purposes; Extension of Comment Period**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of the comment period.

**SUMMARY:** EPA is extending the comment period for a proposed rule published March 18, 1999 (64 FR 13383). On March 18, 1999, EPA proposed to classify the San Francisco Bay Area pursuant to section 172(a) of the Clean Air Act as moderate for CMAQ purposes only, and the classification is intended only in relation to the area's treatment under CMAQ.

At the request of the Santa Barbara County Association of Governments, EPA is extending the comment period for 30 days.

**DATES:** Comments must be received in writing on or before May 19, 1999.

**ADDRESSES:** Comments should be submitted to: Celia Bloomfield, Planning Office (AIR-2), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

**FOR FURTHER INFORMATION CONTACT:** Celia Bloomfield, U.S. EPA Region IX, at (415) 744-1249.

Dated: April 27, 1999.

**David P. Howekamp,**

*Acting, Regional Administrator, Region IX.*

[FR Doc. 99-11272 Filed 5-4-99; 8:45 am]

BILLING CODE 6560-50-P

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****49 CFR Parts 360 and 387**

[FHWA Docket No. FHWA-97-2923; MC-97-11]

RIN 2125-AE06

**Qualifications of Motor Carriers to Self-Insure Their Operations and Fees to Support the Approval and Compliance Process**

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); request for comments.

**SUMMARY:** This document proposes to identify circumstances in which the public is subjected to an unacceptable level of risk of uncompensated losses generated from bodily injury and property damage (BI&PD) claims arising from the actions of for-hire motor carriers conducting self-insured operations in interstate or foreign commerce. More specifically, the FHWA seeks public comment on a proposal to reevaluate the security and collateral requirements of any self-insured carrier that fails to generate from operations, after payment of all expenses except annual self-insurance claims expenses, twice the level of cash needed to pay the self-insurance claims. The FHWA also proposes to assess an additional application fee to cover carrier requests for modifications and alterations to self-insurance authorizations which require a reevaluation of the carrier's financial condition. The FHWA can now do the basic first-time self-insurance application for \$3,000. This amount is \$1,200 less than the \$4,200 fee the FHWA currently charges. Thus, the agency is also proposing to reduce the fee for processing the initial application to \$3,000 for an economic cost savings. The proposed actions will not apply to carriers authorized to self-insure cargo-only claims. The requirements for cargo-only self-insurance are not substantial because the required cargo coverage is relatively small. Consequently, the expenses for reviewing cargo-only applications are not significant. Further, the risk of an unacceptable level of uncompensated self-insurance cargo claims is low.

Finally, this NPRM would also propose implementing additional procedures necessary for motor carriers to establish billing accounts to pay all insurance-related fees required by the Federal Highway Administration. A schedule of filing fees and general instructions regarding payment are provided.

**DATES:** Comments must be received on or before July 6, 1999.

**ADDRESSES:** Your signed, written comments must refer to the docket number appearing at the top of this document and you must submit the comments to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must

include a self-addressed, stamped envelope or postcard.

**FOR FURTHER INFORMATION CONTACT:** Mr. John F. Grimm, (202) 366-4039, or Mr. Stanley M. Braverman, (202) 358-7035, Office of Motor Carriers, FHWA, 400 Virginia Avenue, SW., Suite 600, Washington, DC 20024; or Mr. Michael J. Falk, Office of the Chief Counsel, HCC-20, (202) 366-1384, FHWA, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:****Electronic Access**

Internet users can access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

**I. Background**

On September 23, 1997, the FHWA published an advance notice of proposed rulemaking (ANPRM) to examine the sufficiency of existing self-insurance requirements, the need for assessing additional fees for processing and monitoring functions, and the propriety of seeking congressional authorization to terminate the self-insurance program altogether (62 FR 49654, FHWA Docket No. MC-97-11). On September 29, 1997, the FHWA corrected the assigned FHWA docket number and address for submission of comments (62 FR 50892, FHWA Docket No. FHWA-97-2923; MC-97-11).

The ANPRM was published primarily to obtain comments from motor carriers, insurance companies, and other interested parties to determine whether the existing self-insurance requirements and conditions were sufficiently stringent to ensure that the public is protected against uncompensated losses. The FHWA requested public comment on the sufficiency of the back-up collateral required for the authorizations both in form and amount, the reporting requirements, and on proposed fees to cover application modification and monitoring functions. The former